

MINUTES
REGULAR MEETING
CHARLOTTE HARBOR
COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE
Monday, September 8, 2014 – 10:30 a.m.
County Administration Building – Room 119
18500 Murdock Circle, Port Charlotte, FL 33948

Members Present

James Herston, *Chairman*
Garland Wilson, *Vice Chairman*
Michael Haymans
Delmar Wooden

Members Absent

Charlotte Ventola, *Secretary*

Staff Present

Debrah Forester, Redevelopment Manager
Commissioner Kenneth Doherty
Shaun Cullinan, Community Development
Matt Trepal, Community Development
Ken Quillen, Zoning
Chris Beers, Johnson Engineering
Kathy M. Knee, Recorder

I. Call to Order

Chairman Herston called the September 8, 2014 meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee to order at 10:30 a.m. in Room 119 of the Charlotte County Administration Building.

II. Pledge of Allegiance

Chairman Herston led the members and the audience in reciting the Pledge of Allegiance.

III. Roll Call/Determination of Quorum

Roll call was taken by Kathy Knee. A quorum was present.

IV. Additions/Deletions to Agenda – Debrah Forester asked that a Harborwalk Update be included as Item "F" under Old Business.

V. Approval of Minutes

A Motion was presented by Garland Wilson, seconded by Delmar Wooden and unanimously approved to accept the Minutes of the July 21, 2014 Regular Meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee as written.

A Motion was presented by Garland Wilson, seconded by Delmar Wooden and unanimously approved to accept the Minutes of the June 2, 2014 Regular Meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee as written.

VI. Commissioner Comments

Commissioner Doherty noted that at the September 9 BCC meeting, the BCC will be selecting two members to fill the vacant Charlotte Harbor CRA Advisory Committee seats.

VII. Public Comments – Vanessa Oliver, General Counsel for Ambitrans, introduced herself and advised that she has applied for a seat on the Charlotte Harbor Advisory Committee and will be happy to answer any questions the Committee members might have. Ms. Oliver grew up in Charlotte County and attended elementary through high school here. She and her family recently moved back.

VIII. Development Review Report

Special Exception – 23371 Harborview Road – information was included with the meeting packet. Debrah Forester noted that this item can be discussed but formal recommendations cannot be made until the October meeting. Michael Haymans will not be able to vote on this matter because he represents the applicant. Mr. Haymans noted this request is a bit out of the norm so he hoped he could get some feedback from the Committee. Debrah Forester noted that this property is located in the Melbourne Neighborhood District and according to the redevelopment plan the goal is to preserve and enhance the neighborhood. Shaun Cullinan noted that this request is called an Expanded Use Special Exception and a search of County records does not show it as ever being used. It seems to have been created prior to future land use and the comp plan so that people could expand a lawfully existing use. As such it is still currently on the books and will be brought forward

although potentially it will be changed in the new code. This is a Special Exception which is typically heard by the Board of Zoning Appeals. Because the property is located in the Charlotte Harbor CRA it is being brought to this Committee to get comments and/or recommendation. In this case, Planning & Zoning will review prior to it going before the Board of Zoning Appeals, which has the final say. The current owner has a PD that was lawfully approved and wants to expand the existing use onto some residential lots located behind his property.

Ken Quillen, Charlotte County Planner, explained that S&S Money Auto Repair is located on Harborview Road and owns the lots behind their business which they would like to use for the storage of U-Haul rental vehicles and automobiles they are being worked on at the shop. Existing property was rezoned PD to allow this use. The properties in question are currently zoned Coastal Residential 3.5. Mr. Quillen presentation included maps showing the location of the properties. Mr. Quillen was asked if he was recommending approval. His response: Because the proposed use does not comply with the comprehensive plan because the properties are zoned residential, staff feels it would have to recommend denial. If, however, the Board of Zoning Appeals approves this request, staff would recommend a condition to make an amendment to the comp plan to bring it into conformity with this proposed use.

Michael Haymans noted that this provision has been on the books for a long time and he believes it was Charlotte County's attempt to address the strip commercial problem along 41 and other arterials. Platting and planning created narrow strips along the main arterial roadways that promote strip development rather than promoting an efficient, effective use of property. Most of the commercial properties on the arterial roadway are too shallow. This was seen as a problem and the County provided this expanded use special exception to allow expansion to conforming business that want to expand immediately behind or adjacent to their property so the owner did not need to go through a rezoning. S&S has been at this location for 5 or 6 years and the business is successful. S&S needed to expand and began parking on property it owned behind the business location. A building permit was obtained for the fence they erected around the additional property to shield it from neighbors. Only one residential homeowner is in this area and has not complained. There is a Code Enforcement action pending because there was concern and identification that the use that the property was being put to was not appropriately permitted with regard to zoning. Mr. Haymans has met with County staff and asked if the expanded use special exception could work to remedy this issue. The initial response was yes but once the application was reviewed there was concern about a very specific provision for criteria for special exception which asks if use is consistent with the comp plan. Special exceptions cost \$800 for the application fee; amendments to the comp plan and rezoning is \$2,400. Using special exception instead of comp plan change is an immediate fix that doesn't necessarily create long term forever changes to the property. Mr. Haymans asked if this is an unacceptable intrusion of commercial use in a residential area. The property can be adequately buffered with fencing to allow the storage for U-hauls and cars waiting to be worked on. Having this storage area will keep the front of the business looking good. Mr. Haymans asked the Committee for their input in finding a solution for this successful Charlotte Harbor CRA business.

Jim Herston noted he has his car serviced by S&S. Shaun Cullinan noted that staff will look to see if this is a conflict of interest. Mr. Cullinan noted that staff is not in disagreement with Mr. Haymans. Lots fronting Charlotte County's major roadways are not deep enough for good quality development and we do need to have a way to address it. Staff is interested in hearing comments and feedback from the Committee today. At a future date, this issue will be brought back to the Committee for a formal recommendation.

Debrah Forester asked if this request was for only outdoor storage and not for auto repair. Mr. Cullinan believes only outdoor storage is being requested. Special exceptions go with the land and not owner unless specifically stated differently.

Garland Wilson asked why the big lot to the south is being added. Can't it just stop where the existing interior fence is located? Mr. Haymans noted the intention was to do it in phases so the

front area which is partially fenced would remain as is. Phase 2 would be future use of the additional space for outside storage, if needed. The area for Phase 1 has significant vegetation so a fence is not necessary at this time. Phase 2 was included to minimize costs. Delmar Wooden asked if there would be a possibility for a property exchange; other nearby property looks less intrusive. Mr. Haymans was not sure but thought the property would have the same issues. Mr. Haymans noted that as a vision is planned for the future, remember we are also trying to redevelop and provide economic growth with the CRA. This is a project happening right now. The company has had economic success in the CRA and needs this expansion project to continue. Is this kind of relief something you can support? Garland Wilson noted his issue was the inclusion of the larger lot. Mr. Wooden and Mr. Herston agreed a smaller scale would be better. Ms. Forester mentioned that S&S has received sign grant funds and has met building standards of CRA.

IX. Old Business

- a. Advisory Committee Appointments – Debrah Forester advised that the BCC will be voting by ballot tomorrow to fill the two vacant seats - a Business Owner and an At-Large Member.
- b. Parmely Street Design – Chris Beers distributed copies of the 60% plans and an exhibit to the committee members. Comments from Public Works have been incorporated to include red brick stamped asphalt, which the County is able to maintain. The County cannot maintain the pavers so this is a change from the 30% to the 60% plans. To bring everyone into the CRA a monument sign can be used as a gateway feature – introduce them at Parmely Street and they can proceed down to Bayshore Park. Potential complications came to light when title research was done. McDonough Plumbing's property protrudes out to Parmely to the location of the proposed monument sign. A legal opinion is needed to determine if an easement or acquisition is needed since a hardened structure is being erected. A monument sign cannot be put on US 41 due to complications with FDOT. There is also a lighting issue. Public Works standard is FDOT lighting, which is very bright with 25 foot poles. Decorative poles are going to be used similar to those at Bayshore Road so Mr. Beers is working with Public Works to come to an agreement on the illumination with the decorative pole. Jim Herston questioned the proposed location of the monument sign because the plumbing business parks its vehicles in that location. Funds for construction will come from the FDOT enhancement funds; if approved, a second tier project with sales tax; and may fall under Parks & Rec/Community Services as tier one project to create pathways to parks.

Garland Wilson asked if storm drainage plans were reviewed to avoid future problems. Mr. Beer confirmed they were. Mr. Wilson stated he is not in favor of the monument sign since the current entry sign is costing about \$40,000 a year for maintenance. Debrah Forester mentioned that the \$40,000 includes landscaping and its maintenance as well. Ms. Forester asked if there is an opportunity to do banners on the street light poles similar to those at the Dick Loftus Bridge, which have had no maintenance to date. Michael Haymans noted his support for the banners. Mr. Beers was asked to provide a better map showing the location of the proposed sign. Flexi-Pave, which is made from recycled tires was displayed and is recommended for use by the oak tree. The next submittal to SWFWMD will be within the next 2 weeks. SWFWMD seems to be favorable to accepting this project as exempt, but an application needs to be processed in order to obtain the exempt permit. Chris Beers will prepare to talk about the lighting issue and banners vs. gateway sign in either October or November.

- c. Historical Center Update – Debrah Forester noted that a Committee member requested an update and Tommy Scott will come to the October 6 meeting and present recommendations that are tentatively going to the BCC on October 14. Michael Haymans noted he is on the Historical Committee. The Charlotte Harbor CRA Advisory Committee would like to see the Historical Center stay in Charlotte Harbor. The Historical Center is currently in its temporary quarters on Ann Street in Punta Gorda. If the extension of the sale tax passes, a new library will be built in Punta Gorda just to the north of History Park on Shreve Street. If a new library is built, the museum would move in to existing library on Henry Street in Punta Gorda. The Historical

Advisory Committee is supporting this move. There will be outdoor classes at Bayshore Park to meet grant requirements. The Museum is not an archive and no archival collections were housed at Bayshore. There is currently an archive in Englewood at the Tringali Center. The BCC is trying to keep the archives out of flood zones.

- d. Update Whidden Park Meeting – Debrah Forester mentioned that at the Whidden Park Meeting there was discussion on SWFWMD permits. Some properties are inspected and some are not. The meeting packet contained a chart listing Environmental Resource Permits (ERP); a few are overdue and are a part of the Whidden Condo Association. SWFWMD would be willing to come and talk to property owners about ERPs and inspection requirements. Debrah Forester will coordinate. Michael Haymans noted he was contacted by Marketing Arm and asked to reconstitute the condo association in the area where their property is located.
- e. Comprehensive Plan Update – Matt Trepal noted there are two items Community Development is working on for the Charlotte Harbor CRA - 1) to amend the Future Land Use Map combining all of the mixed use land use designations into a single mixed use land use designation and 2) create the revitalization plan for Charlotte Harbor. Certain portions of the comp plan were reorganized and numerous amendments cascaded through the plan. This was scheduled to go to Planning & Zoning in November and the BCC on December 23 but the BCC has cancelled the December 23 land use hearing. There are a few options: 1) both meetings could happen in November, the November land use meeting is just before Thanksgiving; 2) it could go November/January; or 3) December/January. Mr. Trepal does not know the challenges of the large scale plan amendment. Staff is trying to avoid entangling the various large scale amendments with Charlotte Harbor. The plan is to still have these comp plan items ready for November. A public forum should be held in October but that meeting has not yet been scheduled. Rezoning would follow later and would coincide with the overall County amendment. Shaun Cullinan asked that before going public, he wanted to confirm this is the direction the Committee wants to go. Jim Herston asked if there should there be a special meeting to discuss today's issues prior to public meeting. Mr. Wilson noted he thought this topic has been discussed in full.
- f. Harborwalk Project Update – Debrah Forester stated that at the BCC meeting tomorrow the Board will be asked to send a letter to the West Coast Inland Navigational District to carry over the \$68,000 grant that the Charlotte Harbor CRA received from them. Typically there is a 3 year time limit to use the money but since the project is not yet under construction it is necessary to ask for an extension. The West Coast group is meeting on September 12 so they will have this request for that meeting. Final comments on the plan from FDOT on plan have been received. Kelly Slaughter and Peter VanBuskirk have been working on revisions with FDOT and the last revisions to the plan are due back by the end of this month and then we should be able to get FDOT to ask the Feds for confirmation that we have the money. Construction, Engineering and Inspection Sub-consultant will go out for bid.

X. **New Business** – None.

XI. **Correspondence/Communications** - The Minutes of the Punta Gorda CRA meeting of August 13, 2014 were included in the meeting packet.

XII. **Public Comments** – Bill Schmidt asked Shaun Cullinan what was holding up the submission of the revisions to the comp plan. Mr. Cullinan responded that staff did not want to include the CRA amendment with the larger County amendment because they are expecting challenges from the larger one. Staff has received comments from the Department of Economic Opportunity, and those comments will be presented to the BCC on September 23 for final approval. After approval, outside parties have a 30-day challenge period.

Mr. Schmidt also asked if Ms. Forester would be giving an update on the Orlando ICSC show. Ms. Forester planned to give the update under Staff Comments.

XIII. Staff Comments – Debrah Forester reported she attended the International Council of Shopping Centers (ICSC) Convention in Orlando. The Charlotte County EDO partnered with the Punta Gorda Chamber and the City of North Port. The partnership was called the Tamiami Trail Partnership. Ms. Forester focused on marketing the Charlotte County CRAs. The flyers created by the EDO for the show were distributed to Committee members. Ms. Forester also collected flyers from real estate agents prior to the show which she had available at the show. Jump drives with Charlotte Harbor listings and information on all three Charlotte County CRAs were also available at the show. The show was successful and Ms. Forester is following up with some of the attendees. The EDO does not usually work with retail but in the CRAs this is appropriate market.

XIV. Attorney Comments - None.

XV. Member Comments - Michael Haymans reported that someone in the private section has made an offer on Mrs. Roberts' old home on the corner on Seneca and Sibley Bay.

XVI. Next Meeting Date

- The next regular meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee will be held on **Monday, October 6, 2014 at 10:30 a.m. in Room 119 of the Charlotte County Administration Center.**

XVII. Adjournment - There being no further business, the meeting **ADJOURNED** at 12:04 p.m.

Respectfully submitted,


Charlotte Ventola, Secretary

/kmk

Approved: 10/6/14